

LEWIS
AND
ROCA
LLP
LAWYERS

E-Filed on 8/14/07

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9 Attorneys for USACM Liquidating Trust

10 **UNITED STATES BANKRUPTCY COURT**
11 **DISTRICT OF NEVADA**

12 In re:

13 USA COMMERCIAL MORTGAGE
14 COMPANY,

15 USA CAPITAL REALTY ADVISORS, LLC,

16 USA CAPITAL DIVERSIFIED TRUST
17 DEED FUND, LLC,

18 USA CAPITAL FIRST TRUST DEED FUND,
19 LLC,

20 USA SECURITIES, LLC,

21 Debtors.

22 **Affects:**

23 All Debtors
 USA Commercial Mortgage Company
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA Capital First Trust Deed Fund, LLC
 USA Securities, LLC

24 Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

25 JOINTLY ADMINISTERED
26 Chapter 11 Cases

Judge Linda B. Riegle Presiding

27 **NOTICE OF HEARING ON**
28 **MOTION FOR SUBSTITUTION OF**
29 **PARTY AND COUNSEL**

30 Hearing Date: October 15, 2007
31 Hearing Time: 9:30 a.m.

32 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust (the "USACM
33 Trust"), by and through its counsel, Lewis and Roca LLP, filed its Motion for Substitution
34 of Party and Counsel on August 14, 2007 [DE 4498], requesting that the USACM Trust be
35 substituted for USA Commercial Mortgage Company pursuant to § IV.D.1 of Debtors'
36 Third Amended Joint Plan of Reorganization as the objecting party in the Objection to
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1 Proof of Claim No. 1099 filed by Del and Ernestine Bunch [DE 2023] and Lewis and
2 Roca LLP be substituted as Counsel for the USACM Trust.

3 Any Opposition must be filed pursuant to Local Rule 9014(d)(1):

4 Local Rule 9014(d)(1): “Oppositions to a motion must be filed
5 and service must be completed on the movant no later than
6 fifteen (15) days after the motion is served except as provided
7 by LR 3007(b) and LR 9006. If the hearing has been set on
8 less than fifteen (15) days’ notice, the opposition must be filed
9 no later than five (5) business days before the hearing, unless
the court orders otherwise. The opposition must set forth all
relevant facts and any relevant legal authority. An opposition
must be supported by affidavits or declarations that conform to
the provisions of subsection (c) of this rule.”

10 If you object to the relief requested, you must file a written response to this
11 pleading with the Court. You must also serve your written response on the person who
12 sent you this notice.

13 If you object to the relief requested, you *must* file a **WRITTEN** response to
14 this pleading with the Court. You *must* also serve your written response on
the person who sent you this notice.

15 If you do not file a written response with the Court, or if you do not serve
16 your written response on the person who sent you this notice, then:

- 17 • The Court may *refuse to allow you to speak* at the scheduled hearing;
and
- 18 • The Court may *rule against you* without formally calling the matter at
the hearing.

20 **NOTICE IS FURTHER GIVEN** that the hearing on said Motion will be held
21 before a U.S. Bankruptcy Judge, in Courtroom No. 1 at 300 Las Vegas Blvd, South, Las
22 Vegas, NV on October 15, 2007 at the hour of **9:30 a.m.**

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1 DATED: August 14, 2007.
2

3 **LEWIS AND ROCA LLP**

4 By /s/ RC (#006593)

5 Susan M. Freeman, AZ 4199 (pro hac vice)

6 Rob Charles, NV 6593

7 *Counsel for USACM Liquidating Trust*

8 Proof of Service

9 COPY of the foregoing served via email where an email address is listed, and if no email
10 address is listed, by first class mail, postage prepaid, on August 14, 2007, to all parties
11 listed addressed on the Post Effective Date Official Service List on file with this Court,
and to:

12 Del and Ernestine Bunch
13 1909 Red Robin Court
14 Las Vegas, NV 89134-6157
15 *pro se*

16 /s/ Christine E. Laurel

17 Christine E. Laurel
18 Lewis and Roca LLP

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